

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT NOS. R2012-02436 to 02440 and R2013-03620 to 03630 / DIRECTOR'S PLOT PLAN NOS. RPP 201200970 to 00974 and RPP 201301334 to 01344/ RENV NO. 201200258

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
1.1	Aesthetics	Project shall comply with section 22.44.133.G and Part 9 of Chapter 22.44 (commencing with section 22.44.500) of the Los Angeles County Code (Dark Skies Ordinance). Exterior night lighting shall be minimized using low intensity (lights not exceeding 800 lumens) and low stature fixtures (2.5-3 ft. in height). Lights shall be directed downwards with good shielding against projection into the nighttime sky, surrounding properties, and undeveloped areas. Security lighting, if used, shall be on an infrared detector and may not be continuously illuminated except in cases of actual emergency. All entry way and porch lighting, and wall lights along the proposed residences, shall have an apron to direct light to areas where needed, and eliminate light spillage off site.	Regional Planning Staff will inspect lighting on-site. Provide lighting as specified	Prior to issuance of Certificate of Occupancy.	Applicant and any subsequent owner(s)	Department of Regional Planning
1.2	Aesthetics	The proposed residences shall utilize earth-tone colors that blend in with the natural colors of the surrounding environment. The driveway and any exterior retaining walls shall also be of earth tone colors or materials that blend in with the natural color of the surrounding environment. Use of large reflective surfaces shall be avoided to prevent glare and potential for bird strikes.	Final site and elevation plans depicting earth tone colors of structures, walls and driveway must be submitted to Regional Planning for review and approval.	Prior to issuance of building permits	Applicant	Department of Regional Planning

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1.3	Aesthetics	A landscape/fuel modification plan, utilizing locally indigenous native plants to the Santa Monica Mountains outside of fuel modification zones A and B, shall be reviewed and approved by the Biologist on Staff at Regional Planning, and by the Fuel Modification Unit of the Fire Department. No vineyards, orchards, or lawns shall be placed outside of fuel modification zones A & B. No invasive non-natives, California natives not indigenous to the project region, and cultivars of native plants that pose a hybridization potential with local genotypes are to be used. The DRP and Cal-IPC invasive plant lists shall be used to identify invasive plants, and a list of plants to avoid shall be attached to the landscape plan and identified as "Non-natives that are specifically prohibited include, but are not limited to, palm trees (<i>family Arecaceae</i>), pampas grass (<i>Cortaderia spp.</i>), Pepper trees (<i>Schinus spp.</i>), <i>Eucalyptus</i> spp. Landscape plan shall be implemented to provide effective screening of the residences from viewpoints along the Backbone Trail and Saddle Peak Trail, Saddle Peak, and to provide additional screening from Puma Road, while still meeting fire protection requirements. Oak trees are to be used in the landscape plan and shall be local and suitable for the native local setting, obtained from a local source (i.e. nursery).	A landscape/fuel modification plan shall be submitted to Regional Planning for review and approval by Staff Biologist.	Plans must be approved prior to issuance of building permits	Applicant	Department of Regional Planning
3.1	Air Quality	All off-road diesel powered engines used during construction and any excavation/grading phases must utilize aqueous diesel fuels.	Contractor shall retain receipts for fuel used in off-road diesel powered equipment.	During construction, contractor shall provide inspector from Regional Planning with receipt copies upon request.	Applicant	Department of Regional Planning

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3.2	Air Quality	<p>The Project Developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <p>A. Keep all construction equipment in proper tune in accordance with manufacturer's specifications.</p> <p>B. Require all on-site construction equipment to meet EPA Tier 2 or higher emissions standards. Contact SCAQMD for schedule adopted by other lead agencies in the South Coast Air Basin.</p> <p>C. Limit truck and equipment idling time to five minutes or less.</p> <p>D. Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.</p>	Copy of contract requiring emission and dust control measures shall be provided to Regional Planning inspector in charge of mitigation monitoring. To be done in conjunction with Measure 3.3.	Copy of contract shall be provided to Regional Planning inspector and verified prior to issuance of grading permits.	Applicant	Department of Regional Planning.
3.3	Air Quality	<p>The Project Developer shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <p>" Use watering to control dust generation.</p> <p>" Water active grading/excavation sites and unpaved surfaces at least three times daily.</p> <p>" Cover stockpiles with tarps or apply non-toxic chemical soil binders.</p> <p>" All trucks hauling dirt, sand, soil, or other loose materials are to be covered.</p> <p>" Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads, and all paved parking and staging areas (recommend water sweepers with reclaimed water).</p> <p>" Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</p> <p>" Install wind breaks at the windward sides of construction areas.</p> <p>" Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.</p>	Copy of contract requiring emission and dust control measures shall be provided to Regional Planning inspector in charge of mitigation monitoring. To be done in conjunction with Measure 3.3.	Copy of contract shall be provided to Regional Planning inspector and verified prior to issuance of grading permits.	Applicant	Department of Regional Planning

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3.4	Air Quality	An information sign shall be posted at entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call the foreman and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt by the construction site foreman. The sign shall also list the number to Regional Planning's Zoning Enforcement Division (213) 974-6483, and SCAQMD's Dust Control Division at 1(800) 288-7644, to report any complaints not rectified by the project foreman.	Signs must be posted on-site at least two weeks prior to grading and construction activity, to remain until all activity is completed	Proof of signs posted, in at least three locations of Tract 38931 project area, must be provided to inspector at Regional Planning.	Applicant	Department of Regional Planning, and SCAQMD if a complaint is received.
4.1	Biological Resources	Based upon the recommendations of the Environmental Review Board (ERB), pre-construction surveys for biological resources are required and should include surveys for, and assessments of: lichen, bryophyte, and vascular plant floras, and surveys for assessments of impacts to invertebrate fauna. Several species of invertebrates, including insects and mollusks (such as <i>Helminthoglypta traskii traskii</i>), are known to occur in the area (Santa Monica Mountains).	Surveys are to be submitted to the Staff Biologist at the Department of Regional Planning.	Surveys for species and impacts must be cleared by Staff Biologist, and reported to Regional Planning inspector for mitigation monitoring prior to issuance of grading permits.	Applicant	Department of Regional Planning

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4.2	Biological Resources	<p>Special-Status Roosting Bats- To avoid the direct loss of bats that could result from disturbance to trees or structures that may provide maternity roost habitat (e.g., in cavities or under loose bark) or structures that contain a hibernating bat colony, the following steps shall be taken:</p> <ol style="list-style-type: none"> 1. To the extent feasible, demolition or disturbance to suitable bat roosting habitat shall be scheduled between October 1 and February 28, outside of the maternity roosting season. 2. If trees must be encroached during the maternity season (March 1 to September 30), or structures must be removed at any time of the year, a qualified bat specialist shall conduct a pre-construction survey to identify those trees or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats. Each tree or structure identified as potentially supporting an active maternity roost and each structure potentially supporting a hibernating colony shall be closely inspected by the bat specialist no greater than 7 days prior to tree disturbance to more precisely determine the presence or absence of roosting bats. 	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for surveys.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.2A	Biological Resources	<p>If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to bring down trees or structures in a controlled manner using heavy machinery. In order to ensure the optimum warning for any roosting bats that may still be present, the trees or structures shall be nudged lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. Trees or structures may then be pushed to the ground slowly under the supervision of a bat specialist. Felled trees shall remain in place until they are inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.</p>	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for surveys, or for presence on site during removal of any trees or structures.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife

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4.2B	Biological Resources	Maternity season for bats lasts from March 1 to September 30. Trees or structures determined to be maternity roosts shall be left in place until the end of the maternity season. A structure containing a hibernating colony shall be left in place until a qualified biologist determines that the bats are no longer hibernating.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist or qualified biologist.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.2C	Biological Resources	The bat specialist shall document all demolition monitoring activities and prepare a summary report to the County upon completion of tree disturbance or building demolition activities. If Townsend's big-eared bat is detected during pre-construction surveys, all construction-related activity shall be halted immediately and CDFW shall be notified. Work may only resume subsequent to CDFW approval.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for surveys, or for presence on site during removal of any trees or structures.	Report of bat roosting and surveys shall be cleared by Staff biologist prior to any removals.	Applicant	Department of Regional Planning, California Fish and Wildlife

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4.2D	Biological Resources	<p>Bat Relocation- If confirmed occupied or formerly occupied bat roosting habitat is destroyed, artificial bat roosts of comparable size and quality shall be constructed and maintained at a suitable undisturbed area. The design and location of the artificial bat roosts shall be determined by the bat specialist in consultation with CDFW.</p> <p>In exceptional circumstances, such as when roosts cannot be avoided and bats cannot be evicted by non-invasive means, it may be necessary to capture and transfer the bats to appropriate natural or artificial bat roosting habitat in the surrounding area. Bats raising young or hibernating shall not be captured and relocated. Capture and relocation shall be performed by the bat specialist in coordination with CDFW, and shall be subject to approval by LACDRP and CDFW.</p> <p>A monitoring plan shall be prepared for the replacement roosts, which shall include performance standards for the use of the replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats.</p> <p>Annual reports detailing the success of roost replacement and bat relocation shall be prepared and submitted to LACDRP and CDFW for five years following relocation or until performance standards are met, whichever period is longer.</p>	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of bat specialist for implementation of measure.	Design of artificial bat roosts and Monitoring plan for replacement roosts shall be prepared immediately should implementation of this measure become necessary, and shall be reviewed and cleared by Staff biologist prior to issuance of any grading or building permits. Report by Staff Biologist for completion of mitigation measure will go to Regional Planning Inspector for clearance to Public Works' Building and Safety.	Applicant	Department of Regional Planning, California Fish and Wildlife
4.3	Biological Resources	<p>Vegetation clearance for fuel modification requirements shall be done using hand tools to minimize soil disturbance. Department of Regional Planning Staff Biologist shall approve landscape/fuel modification plan, which shall show proposed brush clearance. All existing native vegetation shall be clearly depicted. Subsequent final approval by Fire Department's Fuel Modification Unit is required. All vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to the greatest extent feasible, to avoid potential impacts to nesting birds.</p>	Landscape/fuel modification plan shall indicate vegetation with use of hand tools, and must be submitted to Staff Biologist for review and approval. Final approval by Fire Department's Fuel Modification Unit.	Prior to issuance of grading permits, landscape plan and necessary fuel modification plan must be approved by Staff Biologist and reported to reported to Regional Planning inspector for mitigation monitoring.	Applicant	Department of Regional Planning

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4.4	Biological Resources	Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to Regional Planning Staff biologist who will coordinate measure Cal Fish and Wildlife.	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 A	Biological Resources	Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) shall occur outside of the avian breeding season which generally runs from February 1 . August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates, specified above, is warranted.	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to LACDRP and CDFW at their request.	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife

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4.4 B	Biological Resources	If avoidance of the avian breeding season is not feasible, beginning thirty days prior to the initiation of project activities, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly pre-construction bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4C	Biological Resources	If a protected native bird is found, the project proponent shall delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area and the biological monitor will also serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. The project proponent shall provide the results of the recommended protective measures described above to the Department of Regional Planning at its request to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Survey results, and any avoidance measures taken, shall be submitted to CDFW within 30 days of completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife

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4.4 D	Biological Resources	If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he or she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birdsq habituation to them; and the terrain, vegetation, and birdsq lines of sight between the project activities and the nest and foraging areas) to the Department of Regional Planning and, upon request, CDFW. Based on the submitted information, the Department of Regional Planning (and CDFW, if CDFW requests) will determine whether to allow a narrower buffer.	Conduct pre-construction nesting bird surveys if construction to occur between February 1 and August 31; provide monitoring reports to LACDRP and CDFW at their request.	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 E	Biological Resources	The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the Department of Regional Planning, at its request, during the grubbing and clearing of vegetation, and shall notify the Department of Regional Planning immediately if project activities damage active avian nests.	Regional Planning Staff Biologist will coordinate requirements for this mitigation with Cal Fish and Wildlife, and approve of qualified biologist	Prior to and during construction	Applicant	Department of Regional Planning, California Fish and Wildlife
4.4 F	Biological Resources	Security fencing for the residences is to be limited to fuel-modification zones A and B. Any property perimeter fencing shall not impede wildlife movement (i.e. split rail type fencing). Fencing shall be depicted on site, landscape and fuel modification plans.	Delineate fencing location on site, landscape and fuel modification plans for approval by Regional Planning Staff Biologist	Plans must be approved prior to issuance of building permits	Applicant	Department of Regional Planning

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10.1	Hydrology and Water Quality	For protection of the Malibu/Cold Creek Resource Management Area and ESHAs, all residences proposed in close proximity to riparian and jurisdictional stream resource areas shall have a runoff capture swale with plants or scavenge material that can be changed annually following the rainy season, and shall incorporate project design features with a drainage plan to ensure detention of storm water complies with current RWQCB requirements. A temporary erosion control plan during construction shall be implemented and in compliance with RWQCB requirements. Site septic facilities as far as possible from public open space and oak trees; incorporate T-filters and micropore treatments in order to protect water quality.	Show swale and cistern on site and landscape plan to be reviewed by Staff Biologist.	Prior to and during construction	Applicant	Department of Regional Planning
10.2	Hydrology and Water Quality	All riparian, ESHAs and jurisdictional resources shall be delineated on plans. The project proponent must obtain necessary California Fish and Wildlife Streambed Alteration Agreement and U.S.A.C.E. 404 permit for bridge proposed on Lot 21 access strip and any other related impacts to jurisdictional resources.	Show areas required by measure on site and landscape plan to be reviewed by Staff Biologist.	Submit plan for approval prior to construction	Applicant	Department of Regional Planning
10.3	Hydrology and Water Quality	In addition to standard LID requirements, cisterns shall be utilized to capture the first three-quarter inches of rainwater runoff from all non-permeable surfaces for use in irrigation and firefighting purposes.	Show drainage and cistern on site and landscape plan to be reviewed by Staff Biologist.	Submit plan for approval prior to construction	Applicant	Department of Regional Planning
10.4	Hydrology and Water Quality	Applicant shall submit a current will serve letter from Las Virgenes Municipal Water District to the Department of Public Health-Environmental Health Division's Drinking Water Program prior to construction.	Obtain "will serve letter" from Las Virgenes Municipal Water District	Verification of Letter required before issuance of grading and building permits.	Applicant	Department of Public Health.
10.5	Hydrology and Water Quality	Prior to the installation of any OWTS, a complete feasibility report shall be completed in accordance with the requirements outlined in the Department's guidelines: "Onsite Wastewater Treatment System (OWTS) Guidelines" and submitted to this Department (Department of Public Health-Environmental Health Division, Land Use Program) for further review. This requirement is to be completed prior to construction.	Submit feasibility report to Department of Public Health.	Complete requirement prior to issuance of grading and building permits.	Applicant	Department of Public Health.

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13.1	Noise	<p>Noise impacts during construction shall be mitigated to protect the nearby residences. In order to minimize construction noise impacts, the applicant shall implement the following mitigation measures into the written contract for construction:</p> <p>A. The applicant shall comply with all applicable sections of the County of Los Angeles noise control ordinance Title 12 Environmental Protection Noise Control (i.e. construction noise). In addition, standard construction noise attenuation measures should be included but not limited to the following: 1) maintain equipment and follow the manufacturer's recommended noise muffling devices; 2) minimize equipment idling; 3) staging and delivery areas should be located as far as feasible from nearby residences and schedule deliveries during mid-day or mid morning; and 4) to the extent feasible, utilize electrical powered tools or equipment instead of diesel powered equipment for exterior work.</p> <p>B. During grading and earth material hauling activities, it is suggested that such work be prohibited on any Sunday or legal holidays, or at any other time between weekday hours of 6:00 p.m. and 8:00 a.m. (ordinance indicates construction work prohibited between 7:00 p.m. and 7:00 a.m.). %Grading+means any excavating or filling of earth material or any combination thereof conducted at a site for construction or other improvements thereon.</p>	Copy of contract requiring noise control measures shall be provided to Regional Planning inspector in charge of mitigation monitoring. To be done in conjunction with Measure 3.2.	Copy of contract shall be provided to Regional Planning inspector and verified prior to issuance of grading permits.	Applicant	Department of Regional Planning
19.1	Mitigation Compliance	As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account, as necessary, until all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	Department of Regional Planning